

**MARTINSVILLE PLAN COMMISSION
MEETING MINUTES
June 26, 2007**

Chairman David Barger called the meeting of the Martinsville Plan Commission to order at 7:00 PM on Tuesday, June 26, 2007, in the Council Chambers of City Hall, Martinsville, IN.

ATTENDANCE: Those members present were:

Douglas Arthur
David Barger, Chairman
Terry Collier
Shirley Fleck
Ross Holloway
Grady Howard
Mike Kirsch
Marilyn Siderewicz, Secretary
Joanne Stuttgen
David Trout, Vice-Chairman
Tom Williams
Rod Bray, Attorney

MINUTES:

The minutes of the May 22, 2007, meeting were approved upon a motion by Mike Kirsch and a second by Terry Collier. Motion passed unanimously. The minutes of the Special Meeting held on May 24, 2007, were approved upon a motion by Joanne Stuttgen and a second by David Trout. Motion passed.

P-07-05-01. Paul Berry, 589 Valley Drive, Martinsville, IN.

Requested a Minor Plat Approval on an existing parcel with duplexes, containing approximately 1.73 acres, forming three lots, located in the 1100 block of Leota Drive (south from E. South Street).

TABLED at the May 22, 2007, meeting at the applicant's request.

Attorney Phil Smith represented Paul Berry. Mr. Smith distributed drawings of the area showing the projected changes. He stated that this was an L-shaped piece of property, which is already developed on two of the parcels. Parcels 1 and 2 are developed. Parcel 3 is the underdeveloped parcel and is 117 x 151 ft. This proposal is not inconsistent with the neighborhood.

City Engineer Ross Holloway had made some recommended corrections. The plat needs to be modified to show the right-of-way as required.

REMONSTRATORS: None.

MOTION: Mike Kirsch made a motion to approve the request for Minor Plat Approval on an existing parcel with duplexes, containing approximately 1.73 acres, forming three lots, located in the 1100 block of Leota Drive (south from E. South Street) with the restriction that the plat be modified to show the right-of-way as required by the city engineer. The motion was seconded by Ross Holloway and passed unanimously.

P-07-06-01. Tekoa Ranch, LLC, 5814 W. River Chase Lane, McCordsville, IN.
Requested Plan Unit Development (PUD) approval, for a Child Care Institution on 133 acres located at 1490 and 1560 Country Club Road.

Mr. Steve Rosenbaum, Developer, made the presentation to the Commission. He stated that he and Developers Diana and James Tiffany wanted the 133-acre tract on Country Club Road to be changed from agricultural to a Planned Unit Development with mixed use for the project. Mr. Rosenbaum said they wanted to build a ranch for children who have learning and emotional problems. The children would be from age 6 to 16 years. The aim would be to help the children adjust their lives. He felt Martinsville was a good location and horses have been found to be a good tool. There would be approximately 120,000 sq. ft. of buildings for housing, school, horses, and athletics. This cost would be between \$13 and \$14 million. There would be a creation of 100-120 new jobs in the area with a proposed payroll of \$4-\$5 million.

Susan Allen, Architect, presented slides showing the graphics of the projected buildings.

City Engineer Ross Holloway stated that the graphics were wonderful but other requirements were not sufficient. Mr. Holloway said the site plans meet only the bare minimum of requirements and left many questions unanswered.

A video presentation showed how the use of horses aided children with autism and low IQ's. However, the ranch would not be intended for this type of child.

Greg Rosenbaum, son of Steve Rosenbaum, spoke to the Commission. He is a Mooresville resident and plans to be a teacher. Greg Rosenbaum works at an institute that takes care of kids with problems. He cited that 17 students at Martinsville High School had been sent to the sheriff this past year. These would be the type of student at the Tekoa Ranch.

REMONSTRATORS: The meeting room was packed with remonstrators (the upstairs balcony included). Approximately 40 people spoke negatively about the proposal. The comments lasted for approximately two hours. Many had pass outs documenting the negative facts that had been discovered. (See attached sheets.)

Norman Voyles, Morgan County Commissioner, made a statement saying that the road could not withstand the traffic the ranch would produce. The roadway would need to be widened. He further stated that the county does not have money for improvements at this time.

A letter from Sheriff Garner stating his opposition to the proposal was read to the Board. David Allen said that Mr. Rosenbaum's plan had been disruptive to the community and he had an obligation to make a presentation that answered the questions. Mr. Rosenbaum did not tell why this proposal would be good for the city of Martinsville.

Resolutions by the Prince of Peach Lutheran Church and Day Care and a Foxcliff neighborhood association opposed the zoning change. (See attached sheets.)

Mark Uebel said he had located one of the Indianapolis apartment complexes run by the Tiffanies and found it to be “run down, unkempt, and seedy.” Third Street Legal Consortium LLC, the registered agent for Tekoa Ranch, was named as a defendant in a lawsuit by PHH Mortgage Corp. that accused the defendants of engaging in forgery, fraud, money laundering, and racketeering. Uebel said the suit was dismissed.

Chairman David Barger said that Mr. Rosenbaum had failed to follow through on the advice the commission members had given him three months ago. Commission members had suggested that Mr. Rosenbaum talk to Morgan County Sheriff Robert Garner, the Morgan County Commissioners, and the neighbors.

MOTION: Joanne Stuttgen made a motion to deny the requested Plan Unit Development (PUD) approval for a Child Care Institution on 133 acres located at 1490 and 1560 Country Club Road submitted by Mr. Steve Rosenbaum. The motion was seconded by Douglas Arthur and passed unanimously.

OTHER BUSINESS: Chairman David Barger informed the Commission members that after this meeting he would be relinquishing the Chairmanship position to David Trout, Vice-Chairman. He cited the reason for this would be more continuity in the change over of administration.

ADJOURNMENT: There being no further business, the meeting adjourned.

NEXT MEETING: The next regularly scheduled meeting will be at 7:00 PM, Tuesday, July 24, 2007.

David Barger, Chairman

Marilyn Siderewicz, Secretary

Douglas Arthur

Grady Howard

Rod Bray, Attorney

Shirley Fleck

Ross Holloway

Joanne Stuttgen

David Trout, Vice-Chairman

Tom Williams

Mike Kirsch

Terry Collier